

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON DRUMMOND, LEE WILLIAMS,
and YESHONDA DRIGGINS, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

-v-

PROGRESSIVE SPECIALTY
INSURANCE COMPANY and
PROGRESSIVE ADVANCED
INSURANCE COMPANY,

Defendants.

Case No. 5:21-cv-04479-MAK

NOTICE REGARDING DISPOSITION OF RULE 23(F) PETITION

Defendants Progressive Specialty Insurance Company and Progressive Advanced Insurance Company (together “Progressive”) file this notice, pursuant to the Court’s December 7, 2023 Order, regarding the disposition of Progressive’s Rule 23(f) petition to the Third Circuit Court of Appeals. Progressive informs the Court as follows:

1. On February 8, 2024, the Court of Appeals granted Progressive’s petition. On February 9, 2024, Progressive paid the notice of appeal docketing and filing fee. The appeal is awaiting docketing.
2. Progressive proposes that the case remain in this Court’s suspense docket until the appeal is finally resolved and the Court of Appeals issues its mandate.
3. Within three days of the issuance of the mandate from the Court of Appeals, Progressive proposes that the parties file a notice with their respective proposals for specific steps towards a final judgment.

4. Progressive has conferred with Plaintiffs, who do not oppose Progressive's proposal.

Dated: February 12, 2024.

Respectfully submitted,

/s/ Jeffrey S. Cashdan

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2024, I electronically filed the foregoing with the Clerk of Court via the CM/ECF system, which will automatically send notice of such filing to all counsel of record.

/s/ Jeffrey S. Cashdan

Jeffrey S. Cashdan

Counsel for Defendants